

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
REGIS CORP., D/B/A :
SMART STYLE, :
RESPONDENT. : LS0303031BAC

Division of Enforcement Case No. 01 BAC 094

The parties to this action for the purpose of Wis. Stats. sec. 227.53 are:

Regis Corp., d/b/a
Smart Style
4331 S. 8th St.
Wisconsin Rapids, WI 54494

Barbering and Cosmetology Examining Board
P.O. Box 8935
Madison, WI 53707-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. **Regis Corp., d/b/a Smart Style** ("Respondent"), is licensed in the State of Wisconsin as a Barbering and Cosmetology Establishment license # 80 29614. This license was first granted to it on 02/23/01. The most recent address on file with the Department of Regulation and Licensing for this establishment is 4331 S. 8th St., Wisconsin Rapids, WI 54494.

2. Regis Corp. is listed with the Department of Regulation and Licensing as the owner of Smart Style. As owner, Regis Corp. was at all times relevant to this action responsible for compliance with Wis. Stats. chapter 454 and Admin. Code chapter BC 2 and BC 4.

3. On July 31, 2002, Department of Regulation and Licensing investigator Michelle Krisher performed an inspection of Smart Style. During the inspection investigator Krisher found the following:

- a. Disinfectant was cloudy and contained hair.
- b. hair clippings were found in drawers with clean combs, clean clipper blades and perm rods being used on a client.

CONCLUSIONS OF LAW

1. The Wisconsin Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to sec. 454.15, Wis. Stats.

2. The Wisconsin Barbering and Cosmetology Examining Board is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.

3. Respondent **Regis Corp., d/b/a Smart Style** has violated:

- a. Wisconsin Statutes section 454.15(2)(i) and Wisconsin Administrative Code sections BC 4.01(1) and BC 4.02 (1) by failing to maintain the salon in a clean, sanitary and safe condition.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is hereby accepted.

IT IS FURTHER ORDERED, that Respondent **Regis Corp., d/b/a Smart Style** shall pay to the Department of Regulation and Licensing a forfeiture of TWO HUNDRED dollars (\$200.00). Payment shall be submitted within thirty (30) days from the date of this order. Payment shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing and sent to: **Department Monitor, Division of Enforcement, Department of Regulation and Licensing , PO Box 8935, Madison, WI 53708-8935.**

IT IS FURTHER ORDERED, that in the event **Regis Corp., d/b/a Smart Style** fails to timely submit payment of the forfeiture as set forth above, the Establishment's license of **Regis Corp., d/b/a Smart Style** SHALL BE SUSPENDED, without further notice or hearing, until respondent has complied with the terms of this

Order.

IT IS FURTHER ORDERED, that file, 01 BAC 094 be, and hereby is, closed as to respondent **Regis Corp., d/b/a Smart Style.**

Dated this 3rd day of March, 2003.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Barbara Flaherty